

10/24/01

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PTO/SB/05 (03-01)

Approved for use through 10/31/2002 OMB 0651-0032

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**UTILITY  
PATENT APPLICATION  
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.	4478D2 US
First Inventor	Linda G. Lee
Title	WATER-SOLUBLE RHODAMINE DYE CONJUGATES
Express Mail Label No.	EL 897 621 483 US

PTO/SB/05 (03-01)  
10/24/01**APPLICATION ELEMENTS**

See MPEP chapter 600 concerning utility patent application contents.

**ADDRESS TO:**Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original, and a duplicate for fee processing)
2. ☐ Applicant claims small entity status.  
See 37 CFR 1.27.
3. ☒ Specification [Total Pages 136]  
(preferred arrangement set forth below)
  - Descriptive title of the Invention
  - Cross References to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to sequence listing, a table, or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 4]
5. Oath or Declaration [Total Pages 3]
  - a. ☐ Newly executed (original or copy)
  - b. ☒ Copy from a prior application (37 C.F.R. § 1.63(d))  
(for continuation/divisional with Box 18 completed)
    - i. ☐ **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s) named in the prior application, see 37 C.F.R. §§ 1.63(d)(2) and 1.33(b).
6. ☒ Application Data Sheet. See 37 CFR 1.76.

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
  - a. ☐ Computer Readable Copy (CRF)
  - b. Specification Sequence Listing on:
    - i. ☐ CD-ROM or CD-R (2 copies); or
    - ii. ☐ paper
  - c. ☐ Statement verifying identity of above copies

**ACCOMPANYING APPLICATION PARTS**

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 C.F.R. §3.73(b) Statement ☐ Power of Attorney  
(when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
13. ☒ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)
15. ☐ Certified copy of Priority Document(s) (if foreign priority is claimed)
16. ☐ Certified Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. ☐ Other:

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☒ Divisional ☐ Continuation-in-part (CIP) of prior application No.: 09/ 661,206 filed September 14, 2000

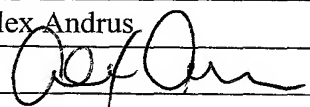
Prior application information:

Examiner: Truong, T.Group Art Unit: 1624

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the continuing or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion of the disclosure is intentionally omitted from the submitted application parts.

**19. CORRESPONDENCE ADDRESS**☒ Customer Number or Bar Code Label**22896**or ☐ Correspondence address below

Name	Alex Andrus				
Address	Applied Biosystems				
	850 Lincoln Centre Drive				
City	Foster City	State	California	Zip Code	94404
Country	US	Telephone	650-570-6667	Fax	650-638-6677

Name (Print/Type)	Alex Andrus	Registration No. (Attorney/Agent)	44,509
Signature		Date	October 24, 2001

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231. 28923\_1.DOC

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**FEE TRANSMITTAL  
for FY 2002**

Patent fees are subject to annual revision

**Complete if Known**

Application Number	To be assigned
Filing Date	October 24, 2001 (herewith)
First Named Inventor	Linda G. Lee
Examiner Name	To be assigned
Group Art Unit	To be assigned
Attorney Docket No.	4478D2 US

TOTAL AMOUNT OF PAYMENT (\$)**1,028.00****METHOD OF PAYMENT (check one)**

- 1.
- ☒
- The Commissioner is hereby authorized to charge indicated fees and credit any overpayment to.

Deposit Account Number	01-2213
Deposit Account Name	Applied Biosystems

- ☒
- Charge any Additional Fee Required Under 37 CFR 1.16 and 1.17
- 
- ☐
- Applicant claims small entity status See 37 CFR 1.27

- 2.
- ☐
- Payment Enclosed:
- 
- ☐
- Check
- ☐
- Credit card
- ☐
- Money
- ☐
- Other Order

**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
101 740	201 370	Utility filing fee	740.00
106 330	206 165	Design filing fee	
107 510	207 255	Plant filing fee	
108 740	208 370	Reissue filing fee	
114 160	214 80	Provisional filing fee	
<b>SUBTOTAL (1)</b>			<b>(\$ 740.00)</b>

**2. EXTRA CLAIM FEES**

Total Claims	Extra Claims	Fee from below	Fee Paid	
36	-20**= 16	X 18.00	288.00	
Independent Claims	3	-3**= 0	X 84.00	0.00
Multiple Dependent		0.00	0.00	

\*\*or number previously paid, if greater; For Reissues, see below

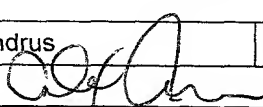
Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
103 18	203 9	Claims in excess of 20
102 84	202 42	Independent claims in excess of 3
104 280	204 140	Multiple dependent claim, if not paid
109 84	209 42	** Reissue independent claims over original patent
110 18	210 9	** Reissue claims in excess of 20 and over original patent
<b>SUBTOTAL (2)</b>		

(\$)**288.00****FEE CALCULATION (continued)****3. ADDITIONAL FEES****Large Entity Small Entity**

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
105 130	205 65	Surcharge - late filing fee or oath	
127 50	227 25	Surcharge - late provisional filing fee or cover sheet	
139 130	139 130	Non-English specification	
147 2520	147 2520	For filing a request for <i>ex parte</i> reexamination	
112 920*	112 920*	Requesting publication of SIR prior to Examiner action	
113 1840*	113 1840*	Requesting publication of SIR after Examiner action	
115 110	215 55	Extension for reply within first month	
116 400	216 200	Extension for reply within second month	
117 920	217 460	Extension for reply within third month	
118 1440	218 720	Extension for reply within fourth month	
128 1960	228 980	Extension for reply within fifth month	
119 320	219 160	Notice of Appeal	
120 320	220 160	Filing a brief in support of an appeal	
121 280	221 140	Request for oral hearing	
138 1510	138 1510	Petition to institute a public use proceeding	
140 110	240 55	Petition to revive - unavoidable	
141 1280	241 640	Petition to revive - unintentional	
142 1280	242 640	Utility issue fee (or reissue)	
143 460	243 230	Design issue fee	
144 620	244 310	Plant issue fee	
122 130	122 130	Petitions to the Commissioner	
123 50	123 50	Petitions related to provisional applications	
126 180	126 180	Submission of Information Disclosure Stmt	
581 40	581 40	Recording each patent assignment per property (times number of properties)	
146 740	246 370	Filing a submission after final rejection (37 CFR 1.129(a))	
149 740	249 370	For each additional invention to be examined (37 CFR 1.129(b))	
179 740	279 370	Request for Continued Examination (RCE)	
169 900	169 900	Request for expedited examination of a design application	
Other fee (specify) _____			

\* Reduced by Basic Filing Fee Paid

**SUBTOTAL (3)** (\$)**0.00****SUBMITTED BY**

Name (Print/Type)	Alex Andrus	Registration No. (Attorney/Agent)	44,509	Telephone	650-638-5607
Signature		Date	October 24, 2001		

**WARNING:**

Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

CERTIFICATION UNDER 37 CFR 1.10

Express Mail Number: EL 897 621 483 US

Date of Deposit: October 24, 2001

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Box: Patent Application, Washington, D.C. 20231.

Mila T. Kasan  
(Print Name of Person Mailing Application)

*M. T. Kasan*  
(Signature of Person Mailing Application)

**Docket No. 4478D2 US**

**Transmittal of Divisional Patent Application  
For Filing Under 37 CFR 1.53(b)**

PRIOR APPLICATION:                      Examiner: Troung, T.                      Art Unit: 1624

Assistant Commissioner for Patents  
Box: Patent Application  
Washington, D.C. 20231

Sir:

This is a request for filing a ☐ continuation ☒ divisional application under 37 CFR 1.53(b), of pending prior application serial no. 09/661,206 filed on September 14, 2000 by Linda G. Lee, Ronald J. Graham and William E. Werner entitled

**WATER-SOLUBLE RHODAMINE DYE CONJUGATES**

1. Enclosed are:

- ☒ One stamped, self-addressed postcard for PTO datestamp.
- ☒ Certificate of Express Mail.
- ☒ One utility patent application containing text pages 1 - 136 and ☒ 4 sheets of ☒ formal ☐ informal drawings.
- ☒ Application Data Sheet.
- ☒ Copy of executed Declaration of Inventorship from grand parent application serial no. 09/433,093.
- ☐ Sequence Listing printout, Request to Use from prior application, and matching Declaration.
- ☒ A Preliminary Amendment.
- ☐ A new Power of Attorney.

2. Amendment

- ☒ Please enter the enclosed Preliminary Amendment before calculating the filing fee. It is understood that only amendments reducing the number of claims will be entered for this purpose.
- ☒ Please cancel original claims 2 - 69, inclusive, before calculating the filing fee. (At least one original independent claim should be retained for filing purposes.)
- ☐ Amend the specification by inserting before the first line the sentence: -- This application is a divisional / continuation of application serial no. \_\_\_\_\_ filed \_\_\_\_\_ which is a divisional / continuation of application serial no. \_\_\_\_\_ filed \_\_\_\_\_ . --

3. Extension of Time

- ☐ A petition for extension of time has been filed in the parent to extend the pendency of the parent to \_\_\_\_\_ (copy enclosed).

- ☒ Conditional Petition for Extension of Time: An Extension of Time is requested to provide for timely filing *if* required to establish copendency with the parent after all papers filed herewith have been considered.

4. Prior Documents Still in Effect

- ☒ This application and parent application Serial No. 09/661,206 filed September 14, 2000 are assigned of record to Applera Corporation.

- ☒ Power of attorney in the above-identified prior application is to Alex Andrus, Reg. No. 44,509, and the other attorneys or agents identified therein.

5. Fees

The filing fee is calculated below taking into account any amendments in section 2 above:

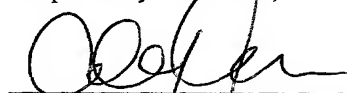
FOR	NUMBER FILED	NUMBER EXTRA	RATE	FEE
TOTAL CLAIMS	36 - 20	16	X \$18	\$288.00
INDEPENDENT CLAIMS	3 - 3	0	X \$84	\$0.00
	BASIC FEE			\$740.00
	Multiple Dependency Fee If Applicable \$280.00			0.00
	Total			1,028.00
	50% Reduction for Independent Inventor, Non-profit Organization or Small Business Concern			
	TOTAL FILING FEE			\$1,028.00

- ☒ The Commissioner is hereby authorized to charge the filing fee, any deficiency in fees under 37 CFR 1.16 and 1.17, or any other fees necessary for timely filing of this application, or credit any overpayment to Deposit Account No. 01-2213. A duplicate copy of this sheet is enclosed.

- ☐ A check in the amount of \$ \_\_\_\_\_ is enclosed.

- ☐ Filing fee to be submitted in response to anticipated receipt of Notice to File Missing Parts.  
**DO NOT CHARGE DEPOSIT ACCOUNT.**

Respectfully submitted,



Alex Andrus, Reg. No. 44,509

Dated: October 24, 2001

**Correspondence Address:**

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